

Notice of Allowability

Application No.

10/693,269

Examiner

Andrew W. Johns

Applicant(s)

DAVIS ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's response filed 17 August 2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 23 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/23/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Election/Restrictions

1. Applicant's election of group II (claims 8-20) in the response filed 17 August 2004 is acknowledged. However, as pointed out by applicant, the generic claims were allowed in the parent application, and continue to be considered allowable. Because the claims directed to the first species (i.e., claims 2 and 4-5) are dependent from the allowable generic claims, the election requirement is withdrawn and all the claims have been examined.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 1 and 6 each variously require a substantially three-dimensional physical object having a textured steganographic pattern encoding a plural-bit data payload thereon, the data payload including date data. The document of Morikawa (US 5,467,169 A) is *not* a substantially three-dimensional object, and Morikawa, Liff et al. (US 5,713,485 A) and Tow (EP 0 493 091 A1) each fails to suggest that the steganographic encoding provide a textured pattern on the object which is discernable from visible light scanning of the object, as claimed. In addition, claim 3 stipulates a container for an article, the container having an exterior shaped to define a textured steganographic pattern encoding a plural-bit payload, the payload data including date data. Neither Liff et al. nor Tow suggests that the exterior of a container be shaped to define a textured steganographic pattern, as now claimed, so that claim 13 is also allowable over the prior art. Finally, claims 8 and 20 variously require a component part for a vehicle, having a textured surface region encoding machine-readable data. While Jack (US 4,976,456 A) teaches the use of a textured label for component parts for a vehicle, the texture pattern on the label of Jack is designed to be read by a human rather than machine-readable (see column 3, lines 36-39), so

that Jack fails to suggest the use of texture patterns on a vehicle component part to encode machine-readable data, as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Claims 1-20 are allowed.

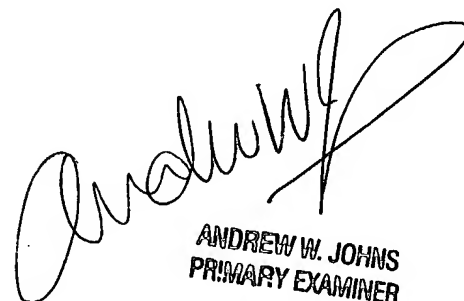
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The newly cited references teach various techniques for labeling component parts for vehicles.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Johns whose telephone number is (703) 305-4788. The examiner is normally available Monday through Friday, at least during the hours of 9:00 am to 3:00 pm Eastern Time. The examiner may also be contacted by e-mail using the address: andrew.johns@uspto.gov. (Applicant is reminded of the Office policy regarding e-mail communications. See M.P.E.P. § 502.03)

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for this art unit is (703) 872-9306. In order to ensure prompt delivery to the examiner, all unofficial communications should be clearly labeled as "Draft" or "Unofficial."

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center Receptionist whose telephone number is (703) 305-4700.

A. Johns
7 December 2004



ANDREW W. JOHNS
PRIMARY EXAMINER